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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 10/707,756

Conf. No.: 1755

Filing Date: 01/09/2004

Art Unit: 2811

Applicant: Joseph et al.

Examiner: Unknown

Title: SELF-ALIGNED RAISED EXTRINSIC
BASE BIPOLAR TRANSISTOR
STRUCTURE AND METHODDocket No.: BUR920030150US1
(IBMB-0035)

COMMISSIONER FOR PATENTS

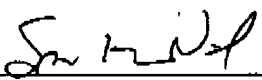
DESTINATION FACSIMILE NUMBER: 703-872-9306

Transmitted herewith is:

Restriction Election in 2 pages

in the above identified application.

- ☒ No additional fee is required.
- ☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. 09-0456 (IBM) as described below.
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.



Spencer K. Warnick, Reg. No. 40,398

DATE: August 18, 2004

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on the date shown below.

Jennifer Desbiens
(Person transmitting this correspondence)

SignatureAugust 18, 2004

Date

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| Applicant: | Joseph et al. | Examiner: | Unknown |
| Title: | SELF-ALIGNED RAISED EXTRINSIC BASE BIPOLAR TRANSISTOR STRUCTURE AND METHOD | Docket No.: | BUR920030150US1 (IBMB-0035) |

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESTRICTION ELECTION

Sir:

In response to the Restriction Requirement mailed August 13, 2004, Applicant hereby elects Group I, claims 1-7 and 14-20, with traverse.

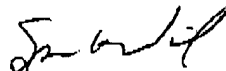
Regarding the Restriction Requirement, it is respectfully submitted that the subject matter of all claims 1-20 is sufficiently related that a thorough search for the subject matter of any one of the claims would encompass a search for the subject matter of the remaining claims. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803, in which it is stated that "[i]f the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis added). It is respectfully submitted that this policy should apply to the present application in order to avoid unnecessary delay and expense to Applicant and duplicative examination by the Patent Office.

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If the Examiner believes that any further discussion of the invention would be helpful, perhaps in the form of an Examiner's Amendment, Applicant's representative is available at (518) 449-0044, and earnestly solicits such discussion.

Respectfully submitted,



Spencer K. Warnick
Reg. No. 40,398

Date: August 18, 2004

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